

Distribution of Copies of the Petition

In accordance with section 732(b)(3)(A) of the Act, copies of the public versions of the petition have been provided to the representatives of the governments of Italy and Turkey. We will attempt to provide copies of the public versions of the petition to all the exporters named in the petition.

International Trade Commission (ITC) Notification

We have notified the ITC of our initiations, as required by section 732(d) of the Act.

Preliminary Determination by the ITC

The ITC will determine by June 26, 1995, whether there is a reasonable indication that imports of certain pasta from Italy and Turkey are causing material injury, or threatening to cause material injury, to a U.S. industry. A negative ITC determination in either investigation will result in the respective investigation being terminated; otherwise, these investigations will proceed according to statutory and regulatory time limits.

Dated: June 1, 1995.

Susan G. Esserman,

Assistant Secretary for Import Administration.

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[A-301-602]

Certain Fresh Cut Flowers From Colombia; Preliminary Results of Antidumping Duty Administrative Review, Partial Termination of Administrative Reviews, and Notice of Intent To Revoke Order (In Part)

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

ACTION: Notice of preliminary results of antidumping duty administrative reviews, partial termination of administrative reviews, and notice of intent to revoke in part the antidumping duty order.

SUMMARY: In response to requests from interested parties, the Department of Commerce (the Department) is conducting three concurrent administrative reviews of the antidumping duty order on certain fresh cut flowers from Colombia. These reviews cover a total of 336 producers and/or exporters of this merchandise to the United States for at least one of the following periods: March 1, 1991 through February 29, 1992; March 1, 1992 through February 28, 1993; and

March 1, 1993 through February 28, 1994. The reviews indicate the existence of dumping margins for certain firms during the relevant periods.

We are terminating the administrative reviews with respect to 18 producers/exporters, because the Department either received timely withdrawal of review requests from these firms, or the firms were no longer subject to the order due to exclusion or revocation actions taken by the Department. We are also announcing our intent to revoke the antidumping duty order for the following exporters/growers: Cultivos Miramonte, Flores Aurora, the Funza Group, and Industrial Agricola. We determined that these firms have not sold the subject merchandise at less than foreign market value (FMV) in these reviews and for at least three consecutive administrative review periods, and these firms have submitted certifications that they will not sell at less than FMV in the future.

We have preliminarily determined that sales have been made below the FMV. If these preliminary results are adopted in our final results of administrative review, we will instruct U.S. Customs to assess antidumping duties equal to the difference between the United States price (USP) and the FMV.

We invite interested parties to comment on these preliminary results and intent to revoke.

EFFECTIVE DATE: June 8, 1995.

FOR FURTHER INFORMATION CONTACT: J. David Dirstine or Richard Rimlinger, Office of Antidumping Compliance, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230; telephone (202) 482-4733.

SUPPLEMENTARY INFORMATION:

Background

On March 5, 1992, March 12, 1993, and March 4, 1994, the Department published notices in the **Federal Register** of "Opportunity to Request Administrative Review" (57 FR 7910, 58 FR 13583, and 59 FR 10368, respectively) of the antidumping duty order on certain fresh cut flowers from Colombia. On May 21, 1992, May 28, 1993, and May 2, 1994, in accordance with 19 CFR 353.22(c), we initiated administrative reviews of this order for over 500 Colombian firms covering the periods March 1, 1991 through February 29, 1992 (the 5th review), March 1, 1992 through February 28, 1993 (the 6th review), and March 1, 1993 through February 28, 1994 (the 7th review),

respectively (see 57 FR 21643, 58 FR 31010, and 59 FR 22579, respectively).

On May 9, 1994, the Department notified interested parties of its decision to collapse these three reviews for the record, and to conduct the three reviews concurrently. See Memorandum To File dated May 9, 1994.

We have preliminarily determined to revoke the antidumping duty order for the following exporters/growers: Cultivos Miramonte, Flores Aurora, the Funza Group, and Industrial Agricola. These firms have submitted requests in accordance with 19 CFR 353.25(b) to revoke the order with respect to their sales of flowers to the United States. Their requests were accompanied by certifications that they have not sold flowers to the United States at less than FMV for at least a three-year period, including the subject review periods, and will not do so in the future. Since we preliminarily determine that these firms have not sold the subject merchandise at less than FMV in these reviews, and have not sold the subject merchandise at less than FMV for at least the required three-year period, we intend to revoke the order with respect to these companies.

The Department has now conducted the administrative reviews in accordance with section 751 of the Tariff Act of 1930, as amended (the Tariff Act).

Scope of Review

Imports covered by these reviews are shipments of certain fresh cut flowers from Colombia (standard carnations, miniature (spray) carnations, standard chrysanthemums and pompon chrysanthemums). These products are currently classifiable under item numbers 0603.10.30.00, 0603.10.70.10, 0603.10.70.20, and 0603.10.70.30 of the Harmonized Tariff Schedule (HTS). The HTS item numbers are provided for convenience and Customs purposes. The written description remains dispositive.

Although we initiated reviews on over 500 firms, we have actually reviewed a total of 336 firms for at least one of the three review periods.

There was one firm, Agroteusa, which was not included in our initiation notices but was included in these reviews because of its close relationship to another firm for which reviews were initiated.

Subsequent to the publication of our initiation notices, we received timely withdrawals of requests for Agricola Sagasuca (6th and 7th reviews), Daflor Ltda. (7th review), Flores el Tandil Ltda. (7th review), Industrial Agricola (7th review), the Santana Flowers Group

(consisting of Hacienda Curubital, Inversiones Istra, and Santana Flowers) (7th review), and Velez de Monchaux e Hijos y Cia (6th review). Because there were no other requests for review for the companies and administrative review periods indicated above from any other interested parties, we are terminating these particular reviews with respect to these companies in accordance with 19 CFR 353.22(a)(5).

We are also terminating the 5th and 6th administrative reviews initiated for the Flores Colombianas Group (including Agrosuba Ltda., Flores Colombianas, Jardines de los Andes S.A., and Productos de Cartucho S.A.) and Flores Condor, because these firms were subsequently revoked from the antidumping order in an earlier review. Moreover, we are terminating the 5th and 6th administrative reviews with respect to Flores Timana Ltda., because this firm was originally excluded from the order, and these reviews should not have been initiated.

In addition, at the request of the petitioner, we initiated reviews for Agriflora (5th, 6th, and 7th reviews), Elite Farms (7th review), Emerald Farms (7th review), and Comercializadora Caribbean (7th review). The first three firms have informed us that they are flower importers, and the last firm informed us that it is a freight facilitator. Consequently, we are preliminarily terminating the reviews with respect to these four firms.

During the course of these reviews, we learned that several respondents were sufficiently related for us to collapse these firms, or group of firms, into one entity for purposes of calculating a dumping rate. The firms we considered one entity are: (1) Agricola las Cuadras and Flores de Hacaritama; (2) Agricola de la Fontana, Flores de Hunza, Flores Tibati, and Inversiones Cubivan; (3) Cultivos Miramonte S.A. and Flores Mocari S.A.; (4) Agricola Guacari S.A., Flores Altamira S.A., Flores de Exportacion S.A., Flores de Salitre, Four Farmers Inc, S.B. Talee, and Santa Helena S.A.; (5) MG Consultores, Flores Canelon, Flores la Valvanera, Flores del Hato, Agroindustrial del Riofrio, Jardines de Chia, Queen's Flowers de Colombia, and Jardines Fredonia (this group is hereinafter referred to as the "Queen's Flowers Group"). See Memorandum to File "Collapsing Related Parties": Farm Fresh Flowers Group, dated November 14, 1994; Florex Group, dated November 15, 1994, and November 21, 1994; Miramonte Group, dated November 15, 1994; and Queen's Flowers Group, dated November 17, 1994, and January

10, 1995¹. In the previous review covering the period March 1, 1990 through February 28, 1991, we also collapsed (1) Agricola Las Cuadras and Flores Hacaritama (2) Agricola Guacari S.A., Flores Altamira S.A., Flores de Exportacion S.A., Four Farmers Inc, and Santa Helena S.A., and (3) Jardines de Chia, Queen's Flowers de Colombia, and Jardines Fredonia.

Finally, we initiated reviews for a large number of firms which could not be located in spite of our requests for assistance from such diverse sources as the Floral Trade Council (the FTC), Asocolflores, the American Embassy in Bogotá, and the U.S. Customs Service. Therefore, we were unable to conduct administrative reviews for these firms, and any entries into the United States on the part of these firms will continue to be assessed duties equal to the "all others" rate of 3.10 percent from the less-than-fair-value (LTFV) investigation. The firms in question are:

Achalay
Agricola Altiplano
Agricola de Los Alisos Ltda.
Agricola de Occidente
Agricola del Monte
Agricola Megaflor Ltda.
Agrocaribu Ltd.
Agro de Narino
Agroindustrial Madonna, S.A.
Agroindustrias de Narino Ltda.
Agropecuaria la Marcela
Agropecuaria Mauricio
Agrocosas
Agrotabio Kent
Aguacarga
Alcala
Alstroflores Ltda.
Amoret
Andalucia
Ancas Ltda.
A.Q.
Arboles Azules Ltda.
Caico
Carcol Ltda.
Classic
Clavelez
Coexflor
Color Explosion
Consorcio Agroindustrial
Columbiano S.A. "CAICO"
Cota
Crest D'or
Crop S.A.
Cultivos Guameru
Cypress Valley
Degafflor
Del Monte
Del Tropico Ltda.

¹ In these memos, we collapsed an additional 12 companies into the Queen's Flowers Group. However, for purposes of these preliminary results, we are considering only these eight companies as one entity.

Disagro Ltda.
Diveragricola
El Dorado
Elite Flowers
El Milaro
El Tambo
El Timbul Ltda.
Euroflora
Exoticas
Exotic Flowers
Exotico
Exportadora
F. Salazar
Person Trading
Flamingo Flowers
Flor y Color
Flores Abaco, S.A.
Flores Agromonte
Flores Ainsus
Flores Alcala Ltda.
Flores Calichana
Flores Cerezangos
Flores Corola
Flores de Guasca
Flores de Iztari
Flores de Memecon/Corinto
Flores de la Cuesta
Flores de la Hacienda
Flores de la Maria
Flores del Cielo Ltda.
Flores del Cortijo
Flores del Tambo
Flores el Talle Ltda.
Flores Flamingo Ltda.
Flores Fusu
Flores Gloria
Flores la Cabanuela
Flores la Pampa
Flores la Union/Santana
Flores Montecarlo
Flores Palimana
Flores Saint Valentine
Flores San Andres
Flores Santana
Flores Sausalito
Flores Sindamanoi
Flores Suasuque
Flores Tenerife Ltda.
Flores Urimaco
Flores Violette
Florexpo
Floricola
Floricola la Ramada Ltda.
Florisol
Florpacifico
Flower Factory
Flowers of the World/Rosa
Four Seasons
Fracolsa
Fresh Flowers
Garden and Flowers, Ltda.
German Ocampo
Granja
Gypso Flowers
Hacienda La Embarrada
Hacienda Matute
Hana/Hisa Group
Flores Hana Ichi de Colombia Ltda.
Flores Tokai Hisa

Hernando Monroy
Hill Crest Gardens
Horticultura de la Sasan
Horticultura Montecarlo
Illusion Flowers
Indigo S.A.
Industria Santa Clara
Industrial Terwengel, Ltda.
Innovacion Andina, S.A.
Inversiones Bucarelia
Inversiones Maya, Ltda.
Inversiones Playa
Inversiones & Producciones Tecnicas
Inversiones Silma
Inversiones Sima
Jardin de Carolina
Jardines Choconta
Jardines Darpu
Jardines de Los Andes
Jardines de Timana
Jardines Natalia Ltda.
Jardines Tocarema
J.M. Torres
Karla Flowers
Kingdom S.A.
La Colina
La Embairada
La Flores Ltda.
La Floresta
Laura Flowers
L.H.
Loma Linda
Loreana Flowers
M. Alejandra
Mauricio Uribe
Merastec
Morcoto
Nasino
Olga Rincon
Otono
Pinar Guameru
Piracania
Prismaflor
Reme Salamanca
Rosa Bella
Rosales de Suba Ltda.
Rosas y Jardines
Rose
San Ernesto
San Valentine
Sarena
Select Pro
Shila
Solor Flores Ltda.
Starlight
Sunbelt Florals
Susca
The Rose
Tomino
Tropical Garden
Villa Diana
Zipa Flowers

Best Information Available

In accordance with section 776(c) of the Tariff Act, we have preliminarily determined that the use of best information otherwise available (BIA) is appropriate for certain firms. In

determining what is BIA, our regulations provide that we may take into account whether a party refuses to provide information (19 CFR 353.37(b)). For purposes of these reviews, we have used the most adverse BIA—generally, the highest rate for any company for this same class or kind of merchandise from this or any prior segment of the proceeding—whenever a company refused to cooperate with the Department or otherwise significantly impeded the proceeding. When a company substantially cooperated with our requests for information, but failed to provide all the information requested in a timely manner or in the form requested, we used as BIA the higher of (1) the highest rate (including the “all others” rate) ever applicable to the firm for the same class or kind of merchandise from the same country from either the LTFV investigation or a prior administrative review; or (2) the highest calculated rate in this review for any firm for the same class or kind of merchandise from the same country. See *Antifriiction Bearings (Other Than Tapered Roller Bearings) and Parts Thereof From the Federal Republic of Germany, et al.; Final Results of Antidumping Duty Administrative Review*, 56 FR 31692, 31704 (July 11, 1991); see also *Allied-Signal Aerospace Co. v. United States*, 996 F.2d 1185 (Fed. Cir. 1993).

Because a number of firms failed to respond to our requests for information, we have used the highest rate ever found in this proceeding to establish their margins. This rate is 75.92 percent for the 5th administrative review and 83.61 percent for the 6th and 7th administrative reviews. The firms that have received adverse BIA rates and the review periods for which these firms are receiving a BIA rate (as indicated in parentheses) are:

Agricola Jicabal (5,6,7)
Agricola Malqui (5,6,7)
Agricola Monteflor Ltda. (7)
Agrobloom Ltda. (7)
Agrokoralia (5,6,7)
Bali Flowers (7)
Bloomshares (7)
Bogota Flowers (5,6,7)
Ciba Geigy (5,6,7)
Claveley Tropicales (7)
Colony International Farm (5,6,7)
Conflores Ltda. (5,6,7)
Cultivos el Lago (5,6,7)
Fernando de Mier (7)
Flora Bellisima (5,6,7)
Flores Alfaya (5,6,7)
Flores Arco Iris (5,6,7)
Flores Balu (7)
Flores Catalina (7)
Flores de Fragua (7)

Flores de la Pradera Ltda. (5,6,7)
Flores del Pradro (7)
Flores el Majui (7)
Flores Guaicata Ltda. (5,6,7)
Flores Magara
Flores Naturales (7)
Flores Petaluma Ltda. (5,6,7)
Flores Rio Grande (7)
Flores Santa Lucia (5,6,7)
Flores Suesca (5,6)
Flores Tejas Verdes (5,6,7)
Fribir Ltda. (7)
Groex S.A. (5,6)
Hacienda Susata (7)
Inpar (5,6,7)
Inter Flores (7)
Interflora Ltda. (5,6,7)
Internacional Flowers (7)
Invernava (5,6,7)
Inversiones del Alto (7)
Inversiones Nativa Ltda. (5,6,7)
Jardin (5,6,7)
Jardines del Muna (5,6,7)
La Florida (5,6,7)
My Flowers Ltda. (7)
Naranjo Exportaciones e Importaciones (7)
Plantas Ornamentales de Colombia S.A. (7)
Rosas y Flores (5,6,7)
Rosicler Ltda. (5,6,7)
Sabana Flowers (5,6,7)
Sunset Farms (5,6,7)
Tempest Flowers (5,6,7)

As previously discussed under the *Scope of Review* section of this notice, we have preliminarily determined that eight flower companies are significantly related to each other to warrant collapsing their sales and production information into the Queen's Flowers Group. Although these companies provided responses to our questionnaire and supplemental questionnaires, we did not receive complete information regarding the interrelationships between these companies. In addition, one firm had purchased major inputs from other members of the group but failed to provide requested information establishing the arm's-length nature of these transactions. Other members of the group failed to identify their suppliers of inputs when requested to do so. Another firm claimed it had no transactions with two particular customers, both members of the group; however, there is information on the record from these customers indicating that they had purchased subject merchandise from this firm during the POR. Moreover, several companies failed to notify the Department that they had included shared administrative expenses in their constructed value response. Finally, one company improperly amortized certain production expenses in an optional crop adjustment methodology and failed to

correct the problem in response to a supplemental questionnaire. These problems precluded the Department from merging sales and constructed value data to form one consolidated response for these related entities. Therefore, we preliminarily determine that the members of the Queen's Flowers Group have significantly impeded our reviews and we have used as uncooperative, or first-tier, BIA, the highest rate for any company for this same class or kind of merchandise from this or any prior segment of the proceeding.

Based on the responses provided by these eight respondents, we believe that there are an additional 12 companies with strong ties to the Queen's Flowers Group. We are giving these 12 companies an opportunity to respond to our questionnaire. Since these companies were not included in our "Notice of Initiation," there will not be a preliminary margin applicable to these companies. If, however, in our final results of review, we conclude that any or all of these companies are significantly related to the Queen's Flowers Group to be considered to be one entity, the rates for the group will apply to these companies as well.

Two firms, Agricola Uzatama and Proflores Ltda., responded to our original questionnaire, but failed to respond to our requests for supplemental information. We preliminarily determine that these companies have not cooperated with our requests for information. Therefore, we have preliminarily applied a first-tier BIA rate to these firms for the seventh review, which is 83.61 percent, the highest rate for any firm in any segment of this proceeding.

Although Iturrana and Santa Helena submitted responses to our supplemental questionnaires, these firms failed to provide information allowing us to correct serious deficiencies in their cost responses. Therefore we were unable to use their cost data for comparison purposes. However, because these firms substantially cooperated with our requests for information, we have preliminarily applied a cooperative, or second-tier, BIA rates to sales made by these companies.

Flores el Zorro, Ltda., substantially cooperated with our requests for information and provided complete sales and cost data for its U.S. sales. However, the data provided by Flores el Zorro contained numerous problems and deficiencies (specifically in the areas of indirect selling expenses incurred in the United States, indirect selling expenses incurred in the home

market, financial expenses, and financial income). Since insufficient information was placed on the record by Flores el Zorro to correct these problems and we were unable to use the firm's response to make comparisons because of the existing deficiencies, we have preliminarily applied second-tier BIA rates to sales made by Flores el Zorro for all three reviews.

We conducted verification of responses submitted by the Agrodex Group, Cultivos Miramonte, Floralex, Flores Aurora, Flores Depina, the Funza Group, Flores de la Vereda, Flores Juanambu, the Florex Group, the Guacatay Group, the HOSA Group, Industrial Agricola, the Santana Group, Senda Brava, and the Tinzuque Group. We encountered serious verification problems with respect to Flores de la Vereda and Floralex. During the verification of Flores de la Vereda, we could not successfully verify completeness and accuracy of the company's sales data. Also, during the verification of Floralex, we were unable to verify the accuracy of the constructed value information submitted by this firm. Because Flores de la Vereda and Floralex have substantially cooperated with our requests for information, we have preliminarily applied a second-tier BIA rate to these firms for all three reviews.

Also, we are applying a second-tier BIA rate to sales made by Colflores, Flores Estrella, Flores Mountgar, and Flor Colombia S.A. These firms are no longer in business, and we have preliminarily determined, in accordance with the standards enunciated in *Certain Fresh Cut Flowers From Colombia; Final Results of Antidumping Duty Administrative Review, and Notice of Revocation of Order (in Part)*, 59 FR 15159 (March 31, 1994), that they are unable to respond to the Department's questionnaire.

In certain situations, we found it necessary to use partial BIA for a number of firms to correct for more limited response deficiencies. In a supplemental questionnaire, Flores de Aposentos reported aggregate carnation sales totals made through resellers which it knew were destined for sale in the United States. Since these sales were not broken down in the company's response as required by the Department's questionnaire, we applied the BIA rate for cooperative firms and limited its application to the particular sales involved.

In the case of Las Amalias, we found that the firm had reported its sales prices to a related importer for certain U.S. sales transactions instead of its sales prices to the first unrelated U.S.

customer as required by our questionnaire. We applied the BIA rate for cooperative firms to these particular transactions.

United States Price

Pursuant to section 777A of the Tariff Act, we determined that it was appropriate to average U.S. prices on a monthly basis in order (1) to use actual price information that is often available only on a monthly basis, (2) to account for large sales volumes, and (3) to account for perishable product pricing practices (see *Final Results of Antidumping Duty Administrative Review; Certain Fresh Cut Flowers from Colombia* (56 FR 50554, October 7, 1991)).

In calculating USP, we used purchase price when sales were made to unrelated purchasers in the United States prior to the date of importation, or exporter's sales price (ESP) when sales were made to unrelated purchasers in the United States after the date of importation, both pursuant to section 772 of the Tariff Act.

We calculated purchase price based on the packed price to the first unrelated purchaser in the United States. The terms of purchase price sales were either f.o.b. Bogotá or c.i.f. Miami. We made deductions, where appropriate, for foreign inland freight, air freight, brokerage and handling, U.S. customs duties, and return credits.

ESP, for sales made on consignment or through a related affiliate, was calculated based on the packed price to the first unrelated customer in the United States. We made adjustments, where appropriate, for foreign inland freight, brokerage and handling, air freight, box charges, credit expenses, returned merchandise credits, royalties, U.S. duty, and either commissions paid to unrelated U.S. consignees or indirect U.S. selling expenses of related consignees.

Foreign Market Value

Section 733(a)(1)(A) of the Tariff Act requires the Department to compare sales in the United States with viable home market sales of such or similar merchandise sold in the home market or a third-country market in the ordinary course of trade. Although some companies reported either viable home or third-country markets for sales of particular flower types, consistent with our discussion in *Certain Fresh Cut Flowers from Colombia; Final Results of Antidumping Duty Review, and Notice of Revocation of Order (in Part)* (59 FR 15159, March 31, 1994), we have concluded that home market and third-

country sales are not an appropriate basis for FMV.

The FTC, representing domestic parties in this proceeding, argues that most of the conditions on which the above decision was based have changed with respect to third-country sales for these reviews. The FTC claims that sales by Colombian growers to third countries have increased, and the FTC argues that Colombian growers now have greater, unrestricted access to third-country markets, resulting in more stable annual sales to those countries. Also, the FTC argues, this increase in third-country demand for Colombian-grown flowers has affected the production decisions of the Colombian growers and has helped to lessen the seasonal disparities in market demand.

Based on our review of the questionnaire responses and other data on the record, we have preliminarily concluded that the conditions which governed sales in third countries have not changed significantly between our last review and the current reviews. While we have found that Colombian flower producers enjoy greater access and sales to third-country markets, we find that the other conditions on which we based our original decision to disregard third-country sales as a basis for FMV still apply.

Although the petitioner argues that holidays in third countries coincide with holidays in the United States, we find that, with a few exceptions, such as Christmas, this is not the case. For example, there are no flower-giving holidays in third countries that coincide with Valentine's Day or Mother's Day, and there are no United States flower-giving holidays that coincide with All Souls Day.

We find that the market patterns differ greatly between third countries and the United States. The United States market is extremely volatile, and can experience great price swings depending on the season and whether there is a holiday. For example, flower prices on Valentine's Day can increase by more than one hundred percent. This is because United States consumers tend to purchase flowers only on special occasions. On the other hand, third-

country customers, particularly those in Europe, tend to purchase flowers more for everyday use. Therefore, demand and prices are much more stable in Europe than in the United States. While price swings do exist, they do not occur on the same order of magnitude as in the United States.

We find the FTC's argument that the correlation between flower prices in the United States and in Europe justify the use of third-country prices as FMV to be unconvincing. While the charts submitted by the FTC in support of its argument indicate that there is a correlation between flower prices in Miami, Florida, and flower prices in Europe, we find the correlation to be weak, and we observed that prices in the two markets moved in the opposite direction in approximately half of the months of the year. The FTC also alleges that the prices of flowers in California more closely correlate with the prices in Europe. While the charts petitioner submitted indicate a moderate correlation, we again observed that Californian and European prices moved in opposite directions in nearly half of the months out of the year. Also, the vast majority of Colombian flowers enter the United States in Miami, Florida, and are sold there. In addition, we noted that the information submitted by the FTC is for only one flower type and only covered part of the 5th review period.

For these reasons, we have not used third-country sales as the basis for FMV. Instead, we used constructed value as defined in section 773(e) of the Tariff Act for all companies. The constructed value represents the average per-flower cost for each type of flower, based on the costs incurred to produce that type of flower over each review period.

The Department used the materials, fabrication, and general expenses reported by respondents. The per-unit average constructed value was based on the quantity of export quality flowers sold by the grower/exporter to the United States. We consider non-export quality flowers (culls) which are produced in conjunction with export quality flowers to be by-products. Therefore, revenue from the sales of culls was used as an offset against the

cost of producing the export quality flowers.

For cases in which actual general expenses exceeded the statutory minimum of 10 percent of the cost of materials and fabrication, we used the actual general expenses to calculate constructed value. For cases in which actual general expenses were less than the statutory minimum of 10 percent of the cost of materials and fabrication, we used the statutory minimum of 10 percent. Because imputed credit was included in constructed value, we reduced the actual interest expense reported in the companies' financial statements to prevent double-counting.

When respondents indicated that the actual profit for merchandise of the same general class or kind could not be calculated or was less than eight percent of the sum of the cost of production and general expenses, the Department used the eight percent statutory minimum for profit. We added U.S. packing to constructed value. Adjustments to constructed value were made for credit and indirect selling expenses.

Finally, according to the 1993 edition of *Doing Business in Colombia*, published by Price Waterhouse, there has been a change in the Colombian generally accepted accounting practices effective January 1, 1992. Firms are now required to revalue certain financial statement accounts in order to reflect the effects of inflation experienced during each financial reporting period. As part of this revaluation, firms must restate their fixed asset accounts and their corresponding depreciation expense. Respondents' restated depreciation expenses are not reflected in the constructed value calculations used in our preliminary results. We intend, however, to ask respondents to provide additional data to allow us to make this adjustment for our final results. We invite comments from interested parties on this matter.

Preliminary Results of Review

As a result of our comparison of USP with FMV, we preliminarily determine the margins for the 5th, 6th, and 7th administrative reviews to be:

Producer/exporter	5th	6th	7th
Abaco Tulipanex de Colombia	(1)	(1)	(1)
Agrex de Oriente	(2)	(2)	(1)
AGA Group	(2)	(2)	9.03
Agricola la Celestina			
Agricola la Maria			
Agricola Benilda Ltda			
Agricola Acevedo Ltda	0.96	4.38	1.89
Agricola Arenales Ltda	2.98	2.67	2.10
Agricola Benilda	(1)	(1)	8.78
Agricola Bonanza Ltda	(1)	(1)	(1)

Producer/exporter	5th	6th	7th
Agricola Circasia Ltda	14.21	0.41	1.29
Agricola el Cactus	2.21	1.70	1.16
Agricola el Redil	0.46	0.37	0.42
Agricola Guali S.A	(1)	(1)	(1)
Agricola Jicabal	75.92	83.61	83.61
Agricola la Corsaria	4.85	2.89	1.78
Agricola las Cuadras Group	1.71	3.87	1.44
Agricola Las Cuadras Ltda			
Flores de Hacaritama			
Agricola La Siberia	(2)	(2)	26.94
Agricola Malqui	75.92	83.61	83.61
Agricola Monteflor Ltda	(2)	(2)	83.61
Agricola Uzatama	(2)	(2)	83.61
Agricola Yuldama	(2)	(2)	(1)
Agrobloom Ltda	(2)	(2)	83.61
Agrodex Group	0.90	0.17	1.00
Agricola El Retiro Ltda			
Agricola Los Gaques Ltda			
Agrodex Ltda			
Degaflores Ltda			
Flores Camino Real Ltda			
Flores de la Comuna Ltda			
Flores De Las Mercedes Ltda			
Flores De Los Amigos Ltda			
Flores De Los Arrayanes Ltda			
Flores De Mayo Ltda			
Flores Del Gallinero Ltda			
Flores Del Potrero Ltda			
Flores Dos Hectareas Ltda			
Flores De Pueblo Viejo Ltda			
Flores El Puente Ltda			
Flores El Trentino Ltda			
Flores La Conejera Ltda			
Flores Manare Ltda			
Florlinda Ltda			
Inversiones Santa Rosa ARW Ltda			
Horticola El Triunfo			
Horticola Montecarlo Ltda			
Agroindustrial Don Eusebio Group	4.03	1.68	1.30
Agroindustrial Don Eusebio Ltda			
Celia Flowers			
Passion Flowers			
Primo Flowers			
Temptation Flowers			
Agrokoralia	75.92	83.61	83.61
Agromonte Ltda	7.51	1.40	2.10
Agropecuaria Cuernavaca Ltda	2.59	4.59	1.70
Aspen Gardens Ltda	(2)	(2)	12.28
Astro Ltda	(1)	20.25	20.59
Bali Flowers	(2)	(2)	83.61
Becerra Castellanos y Cia	2.86	0.29	64.05
Bloomshare	(2)	(2)	83.61
Bogota Flowers	75.92	83.61	83.61
Bojaca Group	75.92	19.96	0.21
Agricola Bojaca			
Universal Flowers			
Flores Y Plantas Tropicales			
Caicedo Group	0.19	2.53	8.64
Agro Bosque, S.A			
Aranjuez S.A			
Exportaciones Bochica S.A			
Floral Ltda			
Flores Del Cauca			
Inversiones Targa Ltda			
Productos El Zorro			
Cantarrana Group	1.74	4.89	1.07
Cantarrana Ltda			
Agricola Los Venados Ltda			
Ciba Geigy	75.92	83.61	83.61
Cienfuegos Group	5.14	2.75	6.15
Cienfuegos Ltda			
Flores La Conchita			
Cigaral Group	4.97	36.16	45.90

Producer/exporter	5th	6th	7th
Flores Cigarral			
Flores Tayrona			
Claveles Colombianas Group	5.74	3.80	4.42
Claveles Colombianos Ltda			
Fantasia Flowers Ltda			
Splendid Flowers Ltda			
Sun Flowers Ltda			
Claveles De Los Alpes Ltda	0.96	6.38	3.77
Claveles Tropicales de Colombia	(2)	(2)	83.61
Colflores	75.92	83.61	83.61
Colibri Flowers Ltda	3.19	2.05	2.93
Colony International Farm	75.92	83.61	83.61
Combiflor	(2)	(2)	0.37
Conflores Ltda	75.92	83.61	83.61
Cultiflores Ltda	(2)	0.00	5.51
Cultivos el Lago	75.92	83.61	83.61
Cultivos Medellin Ltda	4.51	0.02	3.47
Cultivos Miramonte Group	0.27	0.10	0.11
Cultivos Miramonte S.A			
Flores Mocari S.A			
Cultivos Tahami Ltda	3.90	0.06	1.08
Daflores Ltda	0.16	0.31	(2)
De la Pava Guevara e Hijos Ltda	(1)	(1)	(1)
Dianticola Colombiana Ltda	2.59	22.23	8.16
Dynasty Roses Ltda	(2)	(2)	(1)
El Antelio S.A	(2)	(2)	(1)
Envy Farms Group	(2)	(2)	0.00
Envy Farms			
Flores Marandua Ltda			
Expoflora Ltda	(1)	(1)	(1)
Exporosas	(2)	(2)	(1)
Falcon Farms De Colombia S.A	0.00	0.00	0.13
(formerly Flores de Cajibío Ltda.)			
Farm Fresh Flowers Group	1.30	0.72	1.49
Agrícola de la Fontana			
Flores de Hunza			
Flores Tibati			
Inversiones Cubivan			
Fernando de Mier	(2)	(2)	83.61
Flor Colombiana S.A	(2)	(2)	64.05
Flora Bellisima Ltda	75.92	83.61	83.61
Flora Intercontinental	(1)	(1)	(1)
Floralax Ltda	75.92	83.61	83.61
Florandia Herrera Camacho y Cia	(1)	(1)	(1)
Floraterria Group	17.31	5.37	9.04
Flores Casablanca S.A			
Flores San Mateo S.A			
Siete Flores S.A			
Floreales Group	(1)	8.93	4.56
Floreales			
Kimbaya			
Florenal (Flores el Arenal) Ltda	0.62	13.89	7.70
Flores Acuarela S.A	(1)	(1)	(1)
Flores Aguila	0.02	(1)	(1)
Flores Ainsuca Ltda	(2)	(2)	2.74
Flores Alfaya Ltda	75.92	83.61	83.61
Flores Andinas	(1)	(1)	(1)
Flores Arco Iris	75.92	83.61	83.61
Flores Aurora Ltda	0.03	0.31	0.01
Flores Bachue	(1)	(1)	(1)
Flores Balu	(2)	(2)	83.61
Flores Carmel S.A	(2)	(2)	2.24
Flores Catalina	(2)	(2)	83.61
Flores Colon Ltda	0.90	1.96	1.08
Flores Comercial Bellavista Ltda	2.40	0.20	1.75
Flores de Aposentos Ltda	(2)	(2)	2.83
Flores de Fragua	(2)	(2)	83.61
Flores de la Montana	6.27	0.14	4.51
Flores de la Parcelita	(1)	(1)	(1)
Flores de la Pradera	75.92	83.61	83.61
Flores de la Sabana S.A	7.43	1.10	1.54
Flores de la Vega Ltda	3.09	0.18	1.50
Flores de la Vereda	75.92	83.61	83.61
Flores del Campo Ltda	4.95	3.85	4.51

Producer/exporter	5th	6th	7th
Flores del Lago Ltda	3.74	0.14	1.55
Flores del Pradro	(2)	(2)	83.61
Flores del Rio Group	0.15	5.03	4.16
Agricola Cardenal S.A			
Flores Del Rio S.A			
Indigo S.A			
Flores de Oriente	(2)	(2)	3.31
Flores Depina Ltda	8.95	0.00	7.65
Flores de Serrezuela Ltda	1.23	0.26	0.13
Flores de Suba	8.63	3.10	5.37
Flores de Tenjo Ltda	(1)	(1)	(1)
Flores el Lobo	(2)	14.75	1.59
Flores el Majui	(2)	(2)	83.61
Flores el Molino S.A	0.26	0.94	4.66
Flores el Rosal Ltda	23.77	6.51	2.24
Flores el Zorro Ltda	75.92	83.61	83.61
Flores Estrella	75.92	83.61	(2)
Flores Galia Ltda	(1)	(1)	(1)
Flores Gicro Group	5.82	5.78	5.09
Flores Gicro Ltda			
Flores de Colombia			
Flores Guaicata Ltda	75.92	83.61	83.61
Flores Hacienda Bejucol	(2)	(2)	(1)
Flores Juanambu Ltda	0.69	1.08	1.62
Flores Juncalito Ltda	(1)	(1)	(1)
Flores la Fragrancia	11.03	23.93	11.05
Flores la Gioconda	(2)	(2)	1.99
Flores la Lucerna	(1)	(1)	(1)
Flores la Macarena	(1)	(1)	(1)
Flores la Union/Gomez Arango & Cia	0.37	0.00	0.00
Flores las Caicas	34.46	83.61	42.77
Flores las Mesitas	(2)	(2)	(1)
Flores los Sauces	(2)	(2)	1.35
Flores Magara	(2)	(2)	83.61
Flores Monserrate Ltda	1.49	3.32	1.09
Flores Monteverde Ltda	5.03	3.20	3.42
Flores Mountgar	43.02	83.61	(2)
Flores Naturales	(2)	(2)	83.61
Flores Petaluma Ltda	75.92	83.61	83.61
Flores Ramo Ltda	(1)	(1)	(1)
Flores Rio Grande	(2)	(2)	83.61
Flores S.A	(1)	(1)	(1)
Flores Sagaro	0.17	1.12	2.59
Flores Sairam Ltda	(2)	(2)	(1)
Flores San Carlos	(1)	(1)	(1)
Flores San Juan S.A	(2)	(2)	3.50
Flores Santa Fe Ltda	2.50	3.78	4.07
Flores Santa Lucia	75.92	83.61	83.61
Flores Selectas	(2)	(2)	(1)
Flores Silvestres	2.10	0.09	1.57
Flores (de) Suesca	75.92	83.61	(2)
Flores Tejas Verdes Ltda	75.92	83.61	83.61
Flores Tiba S.A	1.06	2.20	0.09
Flores Tocarinda	0.00	0.25	0.52
Flores Tomine Ltda	1.17	0.00	1.17
Flores Tropicales (Happy Candy) Group	1.25	4.77	6.14
Flores Tropicales Ltda			
Happy Candy Ltda			
Mercedes Ltda			
Rosas Colombianas Ltda			
Florex Group	6.47	6.85	5.47
Agricola Guacari			
Flores Altamira S.A			
Flores de Exportacion S.A			
Santa Helena S.A			
Flores del Salitre Ltda			
S.B. Talee de Colombia			
Floricola La Gaitana S.A	0.02	0.17	0.01
Florimex Colombia Ltda	(2)	(2)	(1)
Floval	(2)	(2)	7.22
Fribir Ltda	(2)	(2)	83.61
Funza Group	0.04	0.25	0.47

Producer/exporter	5th	6th	7th
Flores Alborada			
Flores de Funza S.A			
Flores del Bosque Ltda			
Green Flowers	(2)	(2)	12.57
Groex S.A	75.92	83.61	(1)
Grupo Andes	3.43	0.35	0.22
Cultivos Buenavista Ltda			
Flores De Los Andes Ltda			
Flores Horizonte Ltda			
Inversiones Penas Blancas Ltda			
Grupo el Jardin	(2)	(2)	0.40
Agricola el Jardin Ltda			
La Marotte S.A			
Orquideas Acatayma Ltda			
Guacatay Group	3.00	2.70	3.32
Agricola Guacatay S.A			
Jardines Bacata Ltda			
Hacienda Susata	(2)	(2)	83.61
Horticultura El Molino	(2)	(2)	(1)
Hosa Group	0.65	0.18	1.26
Horticultura De La Sabana S.A			
Innovacion Andina S.A			
Minispray S.A			
HOSA Ltda			
Prohosa Ltda			
Industrial Agricola Ltda	0.39	0.43	(2)
Ingro Ltda	8.23	0.02	1.20
Inpar	75.92	83.61	83.61
Interflora Ltda	75.92	83.61	83.61
Inter Flores Ltda	(2)	(2)	83.61
Internacional Flowers	(2)	(2)	83.61
Invernava	75.92	83.61	83.61
Inverpalmas	0.90	10.93	3.78
Inversiones Almer Ltda	(1)	(1)	(1)
Inversiones Cota	(2)	(2)	(1)
Inversiones el Bambu Ltda	(1)	(1)	(1)
Inversiones Flores del Alto	(2)	(2)	83.61
Inversiones Morcote	(1)	(1)	(1)
Inversiones Morrosquillo	(2)	(2)	4.73
Inversiones Nativa Ltda	75.92	83.61	83.61
Inversiones Santa Rita Ltda	15.41	17.85	19.05
Inversiones Supala S.A	(2)	3.36	3.23
Inversiones Valley Flowers Ltda	(2)	(2)	29.38
Iturrama S.A	75.92	83.61	83.61
Las Amalias Group	8.89	4.05	2.80
Las Amalias S.A			
Pompones Ltda			
La Fleurette de Colombia Ltda			
Ramiflora Ltda			
Jardin	75.92	83.61	83.61
Jardines de America	(2)	(2)	0.85
Jardines del Muna	75.92	83.61	83.61
La Florida	75.92	83.61	83.61
La Plazoleta Ltda	(1)	(1)	(1)
Linda Colombiana Ltda	1.11	2.11	1.32
Las Flores	(1)	(1)	(1)
Los Geranios Ltda	6.69	0.29	1.19
Luisa Flowers	(2)	(2)	(1)
Manjui Ltda	(2)	0.01	0.06
Maxima Farms Group	0.33	0.64	0.10
Agricola los Arboles S.A			
Polo Flowers			
Rainbow Flowers			
Maxima Farms Inc			
Monteverde Ltda	5.03	3.20	3.42
My Flowers Ltda	(2)	(2)	83.61
Naranja Exportaciones e Importaciones	(2)	(2)	83.61
Natuflores Ltda./San Martin Bloque B	2.12	1.12	1.49
Oro Verde Group	2.10	1.05	0.19
Inversiones Miraflores S.A			
Inversiones Oro Verde S.A			
Papagayo Group	3.23	9.52	2.11
Agricola Papagayo Ltda.			
Inversiones Calypso S.A			
Petalos De Colombia Ltda	13.63	3.28	2.82

Producer/exporter	5th	6th	7th
Pisochago Ltda	(2)	(2)	8.77
Plantaciones Delta Ltda	(1)	(1)	(1)
Plantas Ornamentales De Colombia S.A	0.02	3.85	83.61
Plantas S.A	(1)	(1)	(1)
Proflores Ltda	(2)	(2)	83.61
Propagar Plantas	(1)	(1)	(1)
Queen's Flowers Group	75.92	83.61	83.61
Queen's Flowers De Colombia Ltda			
Jardines De Chia Ltda			
Jardines Fredonia Ltda			
Agroindustrial del Rio Frio			
Flores Canelon			
Flores del Hato			
Flores La Valvanera Ltda			
M.G. Consultores Ltda			
Rosaflor	(1)	(1)	(1)
Rosales de Colombia Ltda	(1)	(1)	(1)
Rosalinda Ltda	(2)	(2)	(1)
Rosas de Colombia	(1)	(1)	(1)
Rosas Sabanilla Group	0.22	0.49	0.17
Flores La Colmena Ltda			
Rosas Sabanilla Ltda			
Inversiones La Serena			
Agricola La Capilla			
Rosas y Flores Ltda	75.92	83.61	83.61
Roselandia	(1)	(1)	(1)
Rosex Ltda	(1)	(1)	(1)
Rosicler Ltda	75.92	83.61	83.61
Sabana Flowers	75.92	83.61	83.61
Sansa Flowers	(1)	(1)	(1)
Santa Rosa Group	9.27	7.53	2.38
Flores Santa Rosa Ltda			
Floricola la Ramada Ltda			
Santana Flowers Group	0.26	1.76	(2)
Hacienda Curubital			
Inversiones Istra			
Santana Flowers			
Senda Brava Ltda	13.12	0.00	1.53
Shasta Flowers y Compania Ltda	3.61	0.19	0.00
Siempreviva	(1)	(1)	(1)
Soagro Group	8.66	10.01	3.71
Agricola el Mortino Ltda			
Flores Aguacilara Ltda			
Flores del Monte Ltda			
Flores la Estancia			
Jaramillo y Daza			
Sunset Farms	75.92	83.61	83.61
Superflora Ltda	(2)	(2)	5.58
Sweet Farms	(2)	(2)	(1)
Tag Ltda	0.20	0.56	2.68
Tempest Flowers	75.92	83.61	83.61
The Beall Company	(1)	(1)	(1)
Tinzuque Group	5.26	0.02	0.00
Tinzuque Ltda			
Catu S.A			
Toto Flowers Group	1.19	1.93	0.06
Flores De Suesca S.A			
Toto Flowers			
The Tuchany Group	0.52	0.43	0.55
Tuchany S.A			
Flores Sibate S.A			
Flores Munya S.A			
Flores Tikaya Ltda			
Uniflor Ltda	5.54	0.68	2.75
Velez de Monchaux Group	3.78	4.76	4.51
Velez De Monchaux e Hijos Y			
Cia. S. en C			
Agroteusa			
Victoria Flowers	0.62	2.13	1.61
Villa Cultivos Ltda	(2)	(2)	2.43
Vuelven Ltda	(2)	3.16	2.33

¹ No U.S. sales during this review period.² No review requested for this period.

Parties to the proceeding may request disclosure within 5 days and interested parties may request a hearing not later than 10 days after publication of this notice. Interested parties may submit written arguments in case briefs on these preliminary results within 30 days of the date of publication of this notice. Rebuttal briefs, limited to issues raised in case briefs, may be filed no later than 7 days after the time limit for filing case briefs. Any hearing, if requested, will be held 7 days after the scheduled date for submission of rebuttal briefs. Copies of case briefs and rebuttal briefs must be served on interested parties in accordance with 19 CFR 353.38(e). Representatives of parties to the proceeding may request disclosure of proprietary information under administrative protective order no later than 10 days after the representative's client or employer becomes a party to the proceeding, but in any event not later than the date the case briefs, under 19 CFR 353.38(c), are due. The Department will publish the final results of this administrative review including the results of its analysis of issues raised in any case or rebuttal brief or at a hearing.

Upon completion of the final results in this review, the Department shall determine, and the Customs Service shall assess, antidumping duties on all appropriate entries. Individual differences between USP and FMV may vary from the percentages stated above. The Department will issue appraisal instructions on each exporter directly to the Customs Service.

Furthermore, the following deposit requirements will be effective for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of this administrative review, as provided for by section 751(a)(1) of the Tariff Act: (1) The cash deposit rates for the reviewed companies will be those rates established for the last covered period in the final results of these reviews; (2) for previously reviewed or investigated companies not listed above, the cash deposit rate will continue to be the company-specific rate published for the most recent period; (3) if the exporter is not a firm covered in this review, a prior review, or the original LTFV investigation, but the manufacturer is, the cash deposit rate will be the rate established for the most recent period for the manufacturer of the merchandise; and (4) for all other producers and/or exporters of this merchandise, the cash deposit rate shall be 3.10 percent, the adjusted "all others" rate from the fair value

investigation. These deposit requirements, when imposed, shall remain in effect until publication of the final results of the next administrative reviews.

This notice also serves as a preliminary reminder to importers of their responsibility under 19 CFR 353.26 to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during these review periods. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

These administrative reviews and notice are in accordance with section 751(a)(1) of the Tariff Act (19 U.S.C. 1675(a)(1)) and section 353.22 of the Department's regulations (19 CFR 353.22(c)(5)).

Dated: May 26, 1995.

Susan G. Esserman,
Assistant Secretary for Import
Administration.

[FR Doc. 95-14074 Filed 6-7-95; 8:45 am]

BILLING CODE 3510-DS-P

[C-475-819, C-489-806]

Notice of Initiation of Countervailing Duty Investigations: Certain Pasta ("Pasta") From Italy and Turkey

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

EFFECTIVE DATE: June 8, 1995.

FOR FURTHER INFORMATION CONTACT: Jennifer Yeske (Italy) and Elizabeth Graham (Turkey), Office of Countervailing Investigations, U.S. Department of Commerce, Room 3099, 14th Street and Constitution Avenue, N.W., Washington, DC 20230; telephone (202) 482-0189 and (202) 482-4105, respectively.

Initiation of Investigations

The Applicable Statute

Unless otherwise indicated, all citations to the statute are references to the provisions of the Tariff Act of 1930, as amended by the Uruguay Round Agreements Act effective January 1, 1995 (the Act).

The Petition

On May 12, 1995, the Department of Commerce (the Department) received a petition filed in proper form by Borden Inc., Hershey Foods Corp., and Gooch Foods, Inc. (the petitioners), three U.S. producers of pasta. Supplements to the

petition were filed on May 26, 1995, and May 31, 1995.

In accordance with section 701(a) of the Act, petitioners allege that manufacturers, producers, or exporters of the subject merchandise in Italy and Turkey receive countervailable subsidies.

The petitioners state that they have standing to file the petition because they are interested parties, as defined under section 771(9)(C) of the Act.

Determination of Industry Support for the Petition

Section 702(c) of the Act requires the Department to determine, prior to the initiation of an investigation, that a minimum percentage of the domestic industry supports a countervailing duty petition. A petition meets this requirement if (1) domestic producers or workers who support the petition account for at least 25 percent of the total production of the domestic like product; and (2) those domestic producers or workers who support the petition account for more than 50 percent of the production of the domestic like product produced by that portion of the industry expressing support for, or opposition to, the petition.

A review of the production data provided in the petition and other information readily available to the Department indicates that the petitioners account for more than 25 percent of the total production of the domestic like product and for more than 50 percent of that produced by companies expressing support for, or opposition to, the petition. The Department received no expressions of opposition to the petition from any interested party. Accordingly, the Department determines that this petition is supported by the domestic industry.

Injury Test

Because Italy and Turkey are "Subsidies Agreement Countries" within the meaning of section 701(b) of the Act, Title VII of the Act applies to this investigation. Accordingly, the U.S. International Trade Commission ("ITC") must determine whether imports of the subject merchandise from Italy and Turkey materially injure, or threaten material injury to, a U.S. industry.

Scope of the Investigation

The Department has inherent authority to redefine and clarify the scope of an investigation, as set forth in a petition, whenever it determines that the petition language is overly broad, or insufficiently specific to allow proper